GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Suits – Arbitration – An amount of **Rs.3,75,000/-** as full and final settlement of the claims in O.P.No.438/93 on the file of the Vth Senior Civil Judge, City Civil Court, Hyderabad, towards the work of " Execution of work relating to formation of New tank across Atleru Vagu near Chimata, closing breach and improvements to the existing bund in Podili Taluk, Prakasam District" entrusted to Sri. G.Sundara Rami Reddy, Contractor vide Agt. No. 41/ SE / 85-86 dated:16.03.1986– Sanctioned – Orders – Issued.

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WATER RESOURCES (ARB) DEPARTMENT

G.O.RT.No. 255 **Dated: 31-05-2017**
Read the following:-

1. From the Vth Senior Civil Judge, City Civil Court Hyderabad dated:31.08.1999 in OP No.438/93.
2. From the High Court of Judicature at Hyderabad, for the state of Telangana and the State of Andhra Pradesh CMAMP.No.1778 of 2013 in CMA. No.1697/2003 dated: 15-09-2015.
3. From the Sri G. Sundara Rami Reddy, Contractor, Nellore, representation, dt:16-10-2015.
4. Govt., Memo.No.19280/ARB/09 Dt: 04.02.2016.
5. From the Engineer-in-Chief (Irr) W.R.Dept., Vijayawada, lr.No.ENC(I) /DCE-GDS/OT-3/AEE-9/Misc dated:17.03.2017

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O R D E R:-

The Engineer-in-Chief (Irr) Vijayawada, has reported that the work relating to " formation of New tank across Atleru Vagu near Chimata, closing breach and improvements to the existing bund in Podili Taluk, Prakasam District" entrusted to Sri. G.Sundara Rami Reddy, Contractor vide Agt. No. 41/ SE / 85-86 dated: 16.03.1986.

2. As per the orders of the Hon'ble Division Bench of High Court, Hyderabad in the reference 2nd read above, the Engineer-in-Chief (Irr) Vijayawada/Chairman of the Conciliation Committee was requested to the place the above matter before the Conciliation Committee, to negotiate with the contractor for amicable settlement and furnish report to Government.

3. The Engineer-in-Chief has reported that after examination of the Committee report, all the disputed claims have been negotiated with the contractor in the Conciliation meeting held on 17.09.2016 and 13.12.2016. During the meeting, the contractor has expressed his willingness to accept the lumpsum amount of Rs.3,75,000/- as full and final settlement of all the claims including interest in respect of O.P.No.438/93 and given a letter of acceptance.

4. After careful examination of the entire matter, it has been decided to accept the claim offered by the Contractor. Accordingly, Government hereby accord sanction of an amount of Rs.3,75,000/- (Rupees Three Lakh Seventy Five Thousand only) as full and final settlement of all the claims including interest in O.P.No.438/93 on the file of the Vth Senior Civil Judge, City Civil Court, Hyderabad, towards the work of " Execution of work relating to formation of New tank across Atleru Vagu near Chimata, closing breach and improvements to the existing bund in Podili Taluk, Prakasam District" entrusted to Sri. G.Sundara Rami Reddy, Contractor vide Agt. No. 41/ SE / 85-86 Dt: 16.03.1986, subject to condition that the above said contractor should withdraw all legal proceedings pending in the Courts in respect of the above work against the Government or its representative Officer after realization of sanctioned amount .

5. The expenditure sanctioned in para (4) above shall be debitable to the detailed Head of Account under "4702 Capital Outlay on Minor Irrigation - M.H – 101 – Surface water 11 – SH – 12 - 530 / 531 OE (Charged)".

6. The Chief Engineer, Minor Irrigation, Vijayawada, is directed to deposit the above sanctioned decretal amount to the credit of O.P.No.438/93 on the file of the Vth Senior Civil Judge, City Civil Court, Hyderabad, for avoiding further legal complications in the matter. He also directed to obtain a declaration on a notarized affidavits from the above Contractor stating that he shall withdraw all legal proceedings in respect of work covered under O.P.No.438/93 against the Government of Andhra Pradesh or its representative after realization of accepted amount. Further, he is also directed to instruct the disbursing officer concerned to obtain declaration from the above contractor accepting the amount as full and final settlement of all its claims before depositing the above sanctioned amount in the respective court.

7. This order issues with the concurrence of Finance (FMU.WR.I) Department vide their U.O.No.47027/163/FMU.WR.I/2017 dated: 15.05.2017.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief (I)/Chairman of Conciliation Committee for
Andhra Region, Water Resources Department, Vijayawada, A.P.
The Chief Engineer, Minor Irrigation, IInd Floor, Vysya Bhavan,
Near Old Govt., Hospital, Namburi Goaplarao Streat, Hanumanpeta
Vijayawada, Vijayawada-520003.
The Accountant General, A.P. Hyderbad
The District Treasury Officer, Ongole.
The Pay and Accounts Officer, Ongole
The Sri. G.Sundara Rami Reddy, Contractor through the Chief Engineer, Minor Irrigation, Vijayawada.

Copy to:-
The P.S. to Minister (Water Resources)
The P.S. to Secretary , Water Resources Department
The Law Deptt.,
The Finance (FMU.WR.I) Department

FORWARDED:: BY ORDER

SECTION OFFICER